



CITY OF MORGAN HILL

**CITY COUNCIL
MORGAN HILL REDEVELOPMENT AGENCY**

COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Steve Tate, Mayor Pro Tempore
Hedy L. Chang, Council Member
Cynthia J. Cook Council Member
Greg Sellers, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chairperson
Greg Sellers, Vice-Chairperson
Hedy L. Chang, Agency Member
Cynthia J. Cook, Agency Member
Steve Tate, Agency Member

WEDNESDAY, AUGUST 16, 2000

AGENDA

JOINT MEETING

CITY COUNCIL REGULAR MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

*A Special Meeting is called at 6:30 .m. for the
purpose of conducting a Closed Session.*

Dennis Kennedy, Mayor/Chairperson

6:30 P.M.

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

OPPORTUNITY FOR PUBLIC COMMENT

CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Legal Authority: Government Code section 54956.9(c) - Initiation of litigation

Attendees: City Manager, Interim City Attorney, Finance Director

PUBLIC EMPLOYMENT

Legal Authority: Government Code Section 54957

Position: City Attorney Recruitment

CLOSED SESSION ANNOUNCEMENT;

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

INTRODUCTION

Stacey Thornburg,
Police Officer

PRESENTATION

Certificate of Achievement for Excellence in Financial Reporting
(Finance Department)

National Association of Housing and Redevelopment Officials (NAHRO) 2000 National Award of Merit

1. Cochrane Village Apartments
 2. Senior Housing Repair Program
- (Business Assistance and Housing Services Department)

CITY COUNCIL REPORT

Council Member Sellers

CITY MANAGER'S REPORT

INTERIM CITY ATTORNEY'S REPORT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT IT TO THE CITY CLERK.

(See notice attached to the end of this agenda.)

City Council Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #1 through #16 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

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Consent Calendar: 1 - 10 Minutes

1. **JULY 2000 FINANCE AND INVESTMENT REPORT** 1
Recommended Action: Accept and file report.
2. **PURCHASE REPLACEMENT POLICE PATROL VEHICLES** 27
Recommended Action: Authorize the Purchase of Four Replacement Police Patrol Vehicles at a Total Cost of \$97,521.
3. **APPROVE PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION STAKING FOR BUTTERFIELD EXTENSION** 29
Recommended Action: Authorize the City Manager to Execute Agreement with MH Engineering for Construction Staking and Other Professional Services for Butterfield Extension in the Amount of \$41,300.
4. **AMENDMENT TO AGREEMENT WITH VTA TO RECEIVE MEASURE A & B FUNDS FOR PAVEMENT MAINTENANCE** 33
Recommended Action: Approve the Amendment to June 16, 1999 VTA Agreement and Authorize the City Manager to Execute the Amendment on behalf of the City.
5. **ACCEPTANCE OF THE MONTEREY/COSMO TRAFFIC SIGNAL PROJECT** 37
Recommended Action:
 1. Approve Change Order in the Amount of \$16,426.60 for Pavement Repair Work,
 2. Accept as Complete the Monterey/Cosmo Traffic Signal Project in the Final Amount of \$155,653.38, and
 3. Direct the City Clerk to File the Notice of Completion with the County Recorder's Office.
6. **ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR SAINT JAMES PLACE PH. I (TRACT 9016)** 41
Recommended Action:
 1. Adopt Resolution No. 5419 Accepting the Public Improvements for Tract 9016, Commonly Known as Barrett Avenue - Saint James Place Ph. I and

2. **Direct** the City Clerk to File a Notice of Completion with the County Recorder's Office.

7. **AMENDMENT TO CITY OF MORGAN HILL'S VALLEY TRANSPORTATION PLAN (VTP) 2020 LIST OF PROJECTS** 47
Recommended Action: **Approve** Resolution No. 5420 Adding the Projects Listed on Exhibit B to the City's List of VTP 2020 Projects.

8. **APPROVE AGREEMENT WITH UNION PACIFIC RAILROAD AND APPROVE CHANGE ORDERS FOR THE MADRONE AVENUE UNDERPASS SEISMIC RETROFIT PROJECT** 53
Recommended Action:
 1. **Approve** the Agreement with Union Pacific Railroad,
 2. **Approve** Construction Change Orders No. 1, 2 & 3 with Cunningham & Sons in the Amount of \$21,983 and
 3. **Appropriate** \$33,308 from Unappropriated Street Fund Balance to Project No. 514093.

9. **U.S.A. APPLICATION 00-02: SUNNYSIDE-STODDARD** 69
Recommended Action: **Delay** the August Urban Service Boundary Review to the September 20 Council Meeting.

10. **RESPONSE TO ABAG FAIR SHARE ALLOCATION** 71
Recommended Action: **Direct** the City Manager to Forward the Letter to ABAG Objecting to Proposed Housing Allocation for Morgan Hill.

11. **REQUEST FOR CITY SPONSORSHIP/DONATION-PRIDE OF MORGAN HILL** ... 79
Recommended Action: **Approve** a \$200 Donation to the Pride of Morgan Hill 14 & Under Softball Team.

12. **AWARD OF CONTRACTS FOR CONSTRUCTION OF STREET RESURFACING AND RECONSTRUCTION – 2000 PROJECT** 81
Recommended Action:
 1. **Award** Contract to C.F. Archibald Paving for the Construction of Street Resurfacing and Reconstructions – 2000 Project in the Amount of \$1,125,925, and
 2. **Approve** Professional Services Contract with Harris and Associates for Inspection Services and Project Administration for \$60,800.

13. **FINAL MAP ACCEPTANCE FOR MORGAN MEADOWS PH. II (TRACT 9255)** 87
Recommended Action:
 1. **Approve** the Final Map, Improvement Plans and Subdivision Improvement Agreement,
 2. **Authorize** the City Manager to Sign the Subdivision Improvement Agreement on Behalf of the City, and
 3. **Authorize** the Recordation of the Map and the Subdivision Improvement Agreement Following Recordation of the Development Improvement Agreement.

14. **APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF JULY 19, 2000** 99

15.	<u>APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF JULY 22, 2000</u>	101
16.	<u>APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF JULY 26, 2000</u>	103

Redevelopment Agency Action

CONSENT CALENDAR: The Consent Calendar, Agenda Items may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

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Consent Calendar: 1 - 10 Minutes	

17.	<u>FEE PAYMENT REQUEST FOR MACSA/EL TORO YOUTH ADDITION</u>	105
	<u>Recommended Action:</u>	
	1. <u>Approve</u> a Grant of Up to \$5,000 in Redevelopment Funds to the Mexican American Community Services Agency (MACSA) to Pay for City Fees and Permits Relating to the Addition to the El Toro Youth Center and	
	2. <u>Authorize</u> the Executive Director to Do Everything Appropriate to Pay the City Fees and Permits Related to the Addition.	

PUBLIC HEARINGS:

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18.	30 minutes	<u>ZONING AMENDMENT APPLICATION ZA-98-11: PUD ORDINANCE AND DISTRICT AMENDMENTS</u>	109
		<u>Recommended Action:</u> Request staff presentation.	
		Public Hearing opened.	
		Please limit your remarks to 3 minutes. Public Hearing closed.	
		Council discussion.	
		Action - <u>Motion to Approve</u> Negative Declaration.	
		Action- <u>Motion to Waive</u> the Reading in Full of Ordinance No. 1487, N.S. Amending Zoning Standards;	
		<u>Motion to Introduce</u> Ordinance No. 1487, N.S. by Title Only.	
		Action- <u>Motion to Waive</u> the Reading in Full of Ordinance No. 1488, N.S. Establishing Uses and Standards for Pud Areas;	
		<u>Motion to Introduce</u> Ordinance No. 1488, N.S. by Title Only.	

OTHER BUSINESS:

	Time Estimate		Page
19.	10 minutes	<u>APPOINTMENT AND CONTRACT FOR CITY ATTORNEY</u> <u>Recommended Action:</u> Oral Report to be Presented at Meeting.	
20.	10 minutes	<u>SUPPLEMENTAL LAW ENFORCEMENT FUNDING</u> <u>Recommended Action:</u> 1. <u>Approve</u> the FY 00/01 Spending Plan for Supplemental Law Enforcement Funding Program, 2. <u>Authorize</u> Two Additional Community Service Officer Positions for the Police Department, 3. <u>Increase</u> Revenue to the Public Safety Trust Fund (205) by \$32,000 in FY 00/01 and 4. <u>Appropriate</u> an Additional \$79,487 in various Police Department General Fund Activities.	153
21.	15 minutes	<u>CONSIDERATION OF CONTRACT AMENDMENT FOR PARKS, FACILITIES, AND RECREATION PROGRAMMING MASTER PLAN</u> <u>Recommended Action:</u> 1. <u>Approve</u> Contract Amendment for Conducting Telephone Survey and 2. <u>Appropriate</u> Funds in the Amount of \$22,000 from Unappropriated Park Development Fund Balance for the Amendment.	163
22.	15 minutes	<u>CODE ENFORCEMENT ACTIVITIES AND PRIORITIES</u> <u>Recommended Action:</u> <u>Endorse</u> Recommended Code Enforcement Priorities by Minute Action.	177
<u>SECOND READING OF ORDINANCE:</u> Full Reading Waived By Majority Vote. (Government Code Section 36934) Action -- <u>Adopt</u> Ordinances by roll call vote.			
23.	1 minute	<u>ADOPT ORDINANCE NO. 1485, NEW SERIES</u> An Ordinance of The City Council of The City of Morgan Hill Approving a Development Agreement for Glenrock/Shea for a 22-unit Addition to the 60-unit Madrone Crossing Project Which Was Awarded an Allocation Through the Residential Development Control System for Fiscal Year 2001-2002, and Fiscal Year 2002-2003.	185
24.	1 minute	<u>ADOPT ORDINANCE NO. 1486, NEW SERIES</u> An Ordinance of The City Council of The City of Morgan Hill Amending the Standards and Criteria and Procedures of the Residential Development Control System as Set Forth in Chapter 18.78 of the Morgan Hill Municipal Code.	189

City Council & Redevelopment Agency Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #25 through #26 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

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| 25. | <u>APPROVAL OF SPECIAL JOINT CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF JULY 19, 2000</u> | 201 |
| 26. | <u>APPROVAL OF JOINT REDEVELOPMENT AGENCY AND SPECIAL CITY COUNCIL MEETING MINUTES OF JULY 26, 2000</u> | 221 |

OPPORTUNITY FOR PUBLIC COMMENT

CLOSED SESSION:

10 minutes

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Legal Authority:	Government Code 54956.8 & 54956.9(c) (1 potential case)
Real Property(ies) involved:	APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Road; and APN 728-31-009 - 12.88 acres located on the southeast corner of Cochrane and Highway 101 (St. Louise Hospital property)
City Negotiators:	Agency Members; Executive Director; Interim Agency Counsel; and F. Gale Conner, special counsel
Closed Session Topic:	Potential Litigation

RECONVENE:

CLOSED SESSION ANNOUNCEMENT:

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT